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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/658,434	09/08/2000	Eric Schneider		2924

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EXAMINER

DENNISON, JERRY B

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 04/06/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application

09/658,434

Examiner

J. Bret Dennison

Applicant(s)

SCHNEIDER ET AL.

Art Unit

2143

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 January 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 13-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 January 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Action is in response to Amendment for Application Number 09/658,434 received on 21 January 2004.
2. Claims 13-32 are presented for examination.

Claim Objections

3. Claim 15 recites "that said word one of a starts and ends with a word delimiter." Examiner will interpret this as "that said word starts and ends with a word delimiter." Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 1 and 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
5. Claims 1 and 22 recite the limitation "the data" on pages 3 and 4. There is insufficient antecedent basis for this limitation in the claim. Claims 13-15, and 27 also recite the limitation. Appropriate correction is required.

6. Claims 1, 18 and 27 are rejected as failing to define the invention in the manner required by 35 U.S.C. 112, second paragraph.

The claim(s) are narrative in form and replete with indefinite and functional or operational language. The structure which goes to make up the device must be clearly and positively specified.

7. Claim 1 recites negative limitations "*wherein said word is not a uniform resource locator,*" and "*said word is not a fully qualified domain name.*" Appropriate correction is required.

8. Claim 18 recites negative limitations "*wherein said punctuation period symbol is not a word delimiter*" and "*said punctuation period symbol is not positioned at a start or end of said word.*" Appropriate correction is required.

9. Claim 27 recites negative limitations "*wherein said punctuation period symbol is not a word delimiter*" and "*said punctuation period symbol is not positioned at a start or end of said word.*" Appropriate correction is required.

10. Claim 32 recites negative limitations "*wherein said word is not a uniform resource locator (URL)*" and "*said word is not a fully qualified domain name.*" Appropriate correction is required.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 13, 14, 22, and 23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen (U.S. Patent Number 5,907,680) hereinafter referred to by Nielsen'680 in view of Nielsen (U.S. Patent Number 6,510,461) hereinafter referred to by Nielsen'461.

11. Regarding claims 13, 14, 22, 23, and 29, Nielsen'680 discloses a data spell check method comprising detecting that the data includes at least one spelling error, each said spelling error including at least a portion of a word (Nielsen'680, col. 6, lines 14-20), and providing a user with an ability to generate at least one hyperlink corresponding to said spelling error (Nielsen'680, col. 6, lines 15-27). However, Nielsen'680 does not disclose determining that said at least one spelling error includes a top level domain alias (TLDA).

In an analogous art, Nielsen'461 discloses determining that said at least one spelling error includes a top-level domain alias (TLDA) (col. 8, lines 1-5, Nielsen'461 teaches a TLD selected from a set of globally recognized top level domains).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine the system of parsing network addresses by Nielsen'461 with the collaborative spell check of URL's by Nielsen'680 for the benefit of providing the user with information referenced in documents by a valid URL containing spelling errors or providing a list of URL's based from and invalid misspelled URL, without having to manually fix the errors, conserving the user's time.

12. Regarding claim 18, Nielsen'680 and Nielsen'461 show all the features of the invention, substantially as claimed, as described in claims 13, 14, and 22, including wherein said detecting said word from the data includes determining that said word includes a character represented by a punctuation period symbol (Nielsen'680, col. 6, lines 14-20, Nielsen'680 teaches a spell check on domain names, which includes the punctuation period symbol). See above for motivation.

13. Regarding claims 19-21, 30-32, Nielsen'680 and Nielsen'461 show all the features of the invention, substantially as claimed, as described in claims 13, 14, 22, and 29, including providing said user with said ability to generate said at least one hyperlink includes providing said user with a user interface, said user interface configured to respond to said detected spelling error (Nielsen'680, col. 6 lines 63-67, Nielsen'680 discloses a list of URL's displayed to the user in a hypertext format where the user can select one of the URL's or cancel) and wherein said user interface includes user modifiable configuration settings (Nielsen'680, col. 5 lines 45-50, Nielsen'680

teaches that the invention operates in WWW browser software, which has configuration settings). See above for motivation

Claims 15-17, 24-26, and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nielsen'680 in view of Nielsen'461, as applied to claims 13, 14, and 22, in further view of Chaney et al. (hereafter "Chaney" "6,104,990").

14. Regarding claims 15-17 and 24-26 Nielsen'680 and Nielsen'461 show all the features of the invention, substantially as claimed, as described in claims 13, 14, 22, and 23, except wherein said detecting said word from the data includes determining that said word starts and ends with a word delimiter, receiving an input character and determining that said input character is said word delimiter, and wherein said word delimiter is represented by a spacebar symbol.

In an analogous art, Chaney discloses of a method of extracting words and phrases from a document using a space or other punctuation characters, which are also input characters, as delimiters (col.3, lines 15-32).

It would have been obvious to a person of ordinary skill in the art at the time the invention was made to combine Nielsen'680 and Nielsen'461 with Chaney's method of extracting words and phrases using delimiters for the benefit of conserving process time while parsing documents.

15. Regarding claim 27, Nielsen'680, Nielsen'461, and Chaney show all the features of the invention, substantially as claimed, as described in claim 24, including wherein said detecting said word from the data includes determining that said word includes a character represented by a punctuation period symbol (Nielsen'680, col. 6, lines 14-20, Nielsen'680 teaches a spell check on domain names, which includes the punctuation period symbol). See above for motivation.

16. Regarding claim 28, Nielsen'680, Nielsen'461, and Chaney show all the features of the invention, substantially as claimed, as described in claim 24, including wherein said determining that said at least one 9 spelling error includes said TLDA includes determining that said TLDA is at least one symbol between said punctuation period symbol and said word delimiter (col. 8, lines 1-5). See above for motivation.

Response to Amendment

17. Applicant's arguments include the failure of previously applied art to expressly disclose (*To date there remains no word processing spell checkers that include the ability to generate hyperlink reference in correspondence with a detected spelling error*). See Response, Paper #4, page 6. It is evident from the detailed mappings found in the above rejection(s) that Nielsen'680 and Nielsen'461 disclosed this functionality. Further, it is clear from the numerous teachings (previously and currently cited) that the provision for processing spelling errors in a word processing environment was widely implemented in the networking art. Applicant states that Neilsen'680 discloses methods

of providing spelling check services to the user. Applicant's arguments include that *"Applicant does not in any way rely on such a step of detecting or processing a spelling error after performing an unsuccessful resource location request."* See Response, Paper #4, page 7. However, the detailed mappings found in the rejection above show that Neilsen'680 still discloses methods of detecting or processing spelling errors. Thus, Applicant's arguments drawn toward distinction of the claimed invention and the prior art teachings on this point are not considered persuasive.

18. Furthermore, as it is the Applicant's right to continue to claim as broadly as possible their invention, it is also the Examiner's right to continue to interpret the claim language as broadly as possible. It is the Examiner's position that the detailed functionality that allows for Applicant's invention to overcome the prior art used in the rejection, fails to differentiate in detail how these features are unique. It is the Examiner's position that Applicant has not yet submitted claims drawn to limitations, which define the operation and apparatus of Applicant's disclosed invention in manner, which distinguishes over the prior art.

Failure for Applicant to significantly narrow definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims with scope parallel to the Applicant in the response and reiterates the need for the Applicant to more clearly and distinctly define the claimed invention.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to J. Bret Dennison whose telephone number is (703)305-8756. The examiner can normally be reached on M-F 8:30am-5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A Wiley can be reached on (703)308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.


Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic
Business Center (EBC) at 866-217-9197 (toll-free).

J. Bret Dennison
Patent Examiner
Art Unit 2143



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